[illegible](1948) Department

SERIES.

G.O. NO. 3768PH

Dated 9—11—48

[Despatch Abstract.]

Licence. Mangalore Municipality.
Commonwealth Engineering works. Replacement machinery. Orders passed.

C2.No.8485/4.. Municipal Office, Mangalore,
dated the 5th March, 1948.

From
Sri M.Narayana Shenoy, B.A., B.L.,
Commissioner, Mangalore Municipality, Mangalore.

To
The Secretaryto Government,
Education & Public Health Department, Fort St.George,
Madras.

The Director of Public Health,
Egmore, Madras 8.

The Director of Town Planning,
Old High Court Buildings, First Line Beach, Madras.

and The Chairman, Municipal Council, Mangalore.

Sir,

Sub: Licence - Mangalore Municipality - Commonwealth Engineering Works - Outside Industrial area and within notified residential area - Replacement of an electric motor of 20 h.p., with an oil engine of 50/60 b.h.p. - Grant of licence - Instructions - requested.

---

1. The Commonwealth Engineering Works at Mangalore, situated in T.S.No.24-1 of 15th ward is outside the industrial area and within the notified residential area. The factory is said to have been ~~estabi~~ established at the place in about the year, 1874 and in G.O.No.Ms. 2529, Public Health, dated 17th July, 1939 the installation of an electric motor of 32 h.p., in the place of an steam engine of 11 h.p. was approved as a special case, the works being outside industrial area. Consequent on the fixation of industrial areas in the town, the question of allowing certain existing factories and work places outside the industrial areas had been considered and the government in their memorandum No.8005-4-E1, P.H., dated 12th June, 1940 had passed orders permitting the continuance of twenty factories and work places detailed in the list annexed therewith, item No.4 of which is the Commonwealth Engineering Works, in their respective places.

2. The Engineering works is being run subsequently with a 20 h.p electric motor and in his recent application the works Manager has applied for licence for the replacement of the existing 20 h.p., electric motor with an oil engine of 50/60 b.h.p. It is represented by the Manager that the higher h.P.Engine applied for is necessary for running new and modern type of machinery and that no electric current is allowed at the present time to run a higher power electric motor in the premises.

3. The proposal was not recommended by the Town Planning Officer for the reason that apart from the fact that the installation of an oil engine of any h.p., is prohibited in areas outside industrial areas, the installation of an oil engine of 60 h.p., at the place is likely to cause nuisance to the residential localities close-by.

4. The Municipal Health Officer has stated that even though the installation of 60 h.p., oil engine will definitely increase he nuisance to a certain extent, action could be taken to be abate the nuisance under section 251 of the Dt.Municipalities Act and recommended that licence may be granted for the proposed installation as per sub para (2) of para (2) of the appendix to G.O.No.4054, P.H., dated 3rd September, 1940 after getting higher sanction.

5. The Director of Town Planning in his Roc.No.4159/47 dated 9th Decr.47 has stated that the proposal is not permissible.

6. The papers were placed before the council and the council in its resolution No.6, dated 28th February, 48 (copy enclosed) has resolved recommending permission for the installation subject to the condition that the factory is worked from morning till 9 p.m., only.

7. In the circumstances explained above, I am to request for early orders of Government granting licence for the installation

of the oil ~~ein~~ engine of 50/60 h.p., in replacement of the 20 h.p., electric motor ~~at the place~~ as per recommendation of the council.

Encl: One.

6 3

Commissioner,
Mangalore Municipality.

F o r w a r d e d

Chairman, M.C. 8/3.

6/3/48

V/6-3-48.

Extract from the proceedings of the Municipal Council of Mangalore, dated the 28th February, 1948.

Read:

C2/8485/47 - Petition dated 14th May, 47 from the works Manager, Commonwealth Engineering Works, Mangalore, requesting permissi for replacement of an electric motor of 20 h.p., with an oil engine of 50/60 h.p., in their Engineering workshops situated in T.S.No.24-1 of 15th ward and the remarks by the Municipal Health Officer and Town Planning Officer that the licence may be refused as the site is within the notified residential area and letter No.4159/47 dated 9-12-47 of the Director of Town Planning, Madras, that the Commonwealth Engineering Works is in a notified residential area and is only permitted to continue in the residential area, no increase in the horse power should be allowed in the first instance and secondly being inside the residential area an the installation of an oil engine is not permissible.

Resolution No.6. " The Council recommends permission provided the factory works from morning till 9 p.m., only."

sd. L.C.Pais,
Chairman, M.C.

(True extract)

6 3

Municipal Office, Mangalore,
dated the 5th March, 1948.

Commissioner, M.M.

V/6-3-48.

6/3/48

3

37041/48.

From
K. M. Unnithan, Esq., I.C.S.,
Director of Town Planning,
Old High Court Buildings,
Madras.1.

To
The Secretary to Government,
Education & Public Health Department
Fort St George, Madras.

Through
The Director of Public Health,
Madras.

DIRECTOR OF PUBLIC HEALTH
1 JUN 1948
MADRAS

R.C.No.1136/48 Dated 31 --5--1948.

Sir,

Sub:-LICENCE--Mangalore Municipality--Commonwealth Engineering ~~Company~~ Works--Outside industrial area and within notified residential area--Replacement of an electric motor of 20. Horse Power with an oil engine of 50/60 H.P.--Grant of licence--Remarks.

Ref:-From the Municipal Commissioner, Mangalore to Government through the Director of Public Health and the Director of Town Planning C2-No.8485/47 dated 5-3-1948.

The reference of the Municipal Commissioner Mangalore is herewith forwarded to Government with the following observations:-

1. The Commonwealth Engineering Company is located in a site which is not less than three acres (in extent) on the junction of the light house Hill Road with the Balmatta Road and it has been a running factory of some importance in the town since the year 1874 or in other words for the last 75 years. When the residential areas of the town were notified, the area of this factory was also notified, as a residential area although at that time it had a large factory though employing only a 11 H.P. steam engine. Subsequently the Government would appear to have allowed by a special order the installation of a 32 H.P. Electric Motor in the area although even an electric motor of anything over 20. H.P. was permissible only in a declared industrial area.

2. The site, however, is such that it has roads abutting it on all three sides and on the third site it is abutted by a motor workshop. The buildings opposite to it on the Light House Road are mainly commercial business, banks etc., and those opposite the Balmatta Road are partly residential and partly public. It cannot therefore be said that the site is surrounded by residential buildings. The area is therefore one fit to be excluded from the residential areas and the Council may be requested by Government to exclude the area from the notified residential areas, in the first instance.

3. This Department agrees with the views expressed by the Town Planning Officer and the Municipal Health Officer that the installation of an oil engine will create nuisance to the neighbourhood areas which are somewhat residential in character, in view of the fact that the site is in a high class and important central area and is hence unsuited for declaration as an industrial area within which alone can an oil engine be permitted. Government may therefore refuse to permit the installation of an oil engine in the site of 50 to 60 H.P. as it will be highly injurious to the neighbourhood.

p. t. o.,

But, in view of the long standing nature of the factory and also in view of the importance of the Engineering Works in the town, Government may as a special case allow the Company to erect upon the site an installation of not more than 20 H.P. of electric motor in addition to the existing installation of 20. H.P. electric motor.

jdd. 27/5.

For Director of Town Planning.

R.No.37041-IIIVG-48. Office of the Director of Public Health, Madras, dated 11th June '48.

From

Rao Bahadur Dr.R.M.Mathew, D.P.H., D.T.M & H., M.R.C.P (London)
Director of Public Health, MADRAS.

To

The Secretary to Government, Education & Public Health Department,
Fort.St.George, MADRAS.

Sir,

Sub: Licence-Mangalore Municipality-Commonwealth Engineering Works inside notified residential area - Replacement of electric motor of 20 Horse power with oil engine of 50-60 Horse power Grant of licence.

15467

Ref: Letter C2.No.8485/47 dated 5.3.48 of the Commissioner, Mangalore Municipality.

ASST. SECRETARY TO GOVERNMENT 21 JUN 1943 EDUCATION AND PUBLIC HEALTH DEPTT.

Forwarded.

2. The Municipal Council may be advised to take steps to have the site excluded from the notified residential area in the first instance and the installation of another electric motor of 20 Horse power may be permitted.

For DIRECTOR OF PUBLIC HEALTH, MADRAS.

H. 15/6.

Env. 45467 F2/48
pp 1-2 cf

From the Comm'r, Mangalore Mpltj. C2.
8485. 47 dated 5.3.48

Licence – Mangalore Municipality.
Commonwealth Engineering Works –
Replacement of an electric motor by an
oil-engine 9 50-60 B.H.P.

Memo: 45467 F2. 1011 dated 29.6.48/48

The Commissioner,
Mangalore Municipality is requested to
send a copy of govt. memorandum No.
8005-4-E1. OH dated 12.6.40.

Required in para 1-
pl cf

Key
23.6 ist.
p. 26.6.48

To
The Commissioner,
Mangalore
Municipality
Hbl the Chairman
2/7/48

Licence. Mangalore Municipality. 9 Encl
Commonwealth Engineering stores.
Ref: Govt. memo 45467 F2/48 - 1st 2nd 2/6/48

Memo: 45467 F2/48. 2nd 13-9-48

The Commissioner, Mangalore
Mphy is requested to expedite his reply

Ky
15.9.48

J.
15.9.48
The Commissioner,
Mangalore Municipality

GOVERNMENT OF MADRAS

Abstract:

Licence-Municipalities and District Board-Coffee houses and eating houses-Admission of Harijans-Revised orders issued.

Education and Public Health Department.

G.O.No.Ms. 57 P.H. Dated 7-1-1947.

Read the following:-

From the Commissioner, Ootacamund Municipality L.Dis.A-4-5275/46 dated 28-6-1946.

" " " R.C.No. 5237/46 dated 8-8-1946.

Read again Government Memo 20615 - F2/46-2P.H. Dated 1-5-1946.

-- --

ORDER:

The Municipal Council Ootacamund has recently invited the attention of the Government in the judgment in O.S.No. 67/45 on the file of the Sub Court Ootacamund in which the Sub Judge Sub Court, held that the insertion of a condition in the licences issued under Section 249 of the M.D.M. Act that licencees of Coffee houses, teashops etc., should not refuse admission to any person in the licensees' premises on the grounds of its caste or creed, is void and in-operative. In the light of the judgment, the Government consider that the instruction issued in Memo No. 26-5 F2/46-2 P.H. Dated 1-5-46 should be cancelled.

2. The question of amending the Removal of Civil Disabilities Act of 1938 with a view to providing for the compulsory admission of Harijans into hotel clubs etc., is under the active consideration of the Government. In view of

Roc No. C2/8485-48. Municipal Office, Mangalore,
dated the 23rd. Septr. 1948.

From

Sri Sanjiva Talavar, B. A. B. L.,
Commissioner, Mangalore Municipality.

To

The Secretary to the Government of Madras,
Education & Public Health Department,
M a d r a s,

Through

The Chairman, Municipal council, Mangalore.

72189

Sir,

Sub: Licence -- Mangalore Municipality -- Commonwea Engineering works - Replacement of an oil engine.

Government Memorandum No. 45467 - F2/48 - 2 P.H. dated the 29th June 48 and dated the 13th Septr.48.

A copy of Government Memorandum No. 8005 - 4 E1 P.H. dated the 12th June 40 is submitted.

Commissioner

Forwarded.

Chairman, M.C.

H/24-9-48.compd.
Encls:

Government of Madras
Education and Public Health Department
Memorandum No. 8005 - 4 - E1 P.H., dated the 12th June 48

Factories - Mangalore Municipality - Factories outside industrial area.

Read: From the Commonwealth Trust Ltd Calicut Mala bar A/1549 dated the 27th February 40.
From the Commissioner, Mangalore Municipality C 2777-H2/40 dated the 9th May 40.

The Government have no objection to the continuance in their present sites of the work places (twenty in number) specified in the list received with the letter of the Commissioner, Mangalore Municipality No.C 2777/H2/40 dated the 9th May 40. It is open to the municipal council to impose any conditions the council thinks necessary under section 251 of the Madras Dt. Municipalities Act 1920.

sd. R.V.Krishna Ayyar
Secretary to Govt.

To the Commissioner Mangalore Municipality thro' the Chairman, M.C.

/True copy/

Commissioner

compd.

H/24-9

p.t.o

List of Factories situated outside the industrial area exempted in Government Memorandum No.8005 -4-E1 P.H., dated the 19th June 1940.

Name of Factory.	H.P.of the machinery.	Situation.	Approximate year of establishment.	Remarks.
1. Deshabandhu Tile Factory.	20 H.P.	T.S.No. 5 - 875 - 1	1935	Unobjectionable
2. Indian Food Products, Co.	Machinery not installed.	5 - 829 - 1	1938	Not working now
3. M/s Saldanha Coffee works.	14 & 4 H.P.	5 - 828 - 1	1932	Unobjectionable
4. The commonwealth Engineering works.	32 H.P.	15 - 24 - 1	1874	Residences have since grown up in the locality. The electric blower used occasionally creates a great nuisance.
5. M/s P.Machado's weaving Factory	5 H.P.	298/5 - A4	1892	Unobjectionable
6. M/s Peirce Leslie & Co.Ltd	14, 1½ and ¼ 5 H.P.	113-1 of 21st ward	1890	
7. M/s Volkart Bros.		20th ward		
8. Bhami Panduranga Shenoy		T.S.No. 13-4/1 of 21st ward.		
9. Great Darbar Beedi works.		4/1 of 21st ward.		
10. Saraswathi Printing works		108-1/2 of 21st ward.		
11. Government Trades school		232-1 of 20th ward.		
12. Highland coffee works		554-1/A of 18th ward		
13. Highland coffee Garbling	"			
14. St.Joseph's Asylum Industrial workshop at Jeppu Seminary.	"	60-1 of 18th ward.		
15. Commonwealth Balmatta Hosiery Factory.	"	15/15 of 17th ward.		
16. Basel Mission Press	"	152-12/1B of 17th ward.		
17. Messrs Mallya Naik & Co.	"	262-1 of 10th ward.		
18. Messrs Puthu Vaikunta Shet - Beedi works	"	150-3/A of 2nd ward.		
19. The C. P. C. Co. Ltd.	"	168 - 1 of 2nd ward.		
20. The Sharada Press.	"	247 - 1 of 10th ward.		

True copy.

Municipal Office, Mangalore,
Dated the 23rd Septr. 1948

COMMISSIONER 24/9

h/24-9-48.

compd.

E DPH
F2

f1 to 4 cy From the Commissioner, Mangalore
Mphy e2. 8485-47 dated
5.3.48

p3 cy — to the DTP. Roc. 1136. 4 b dated 21.5.48
p5 cy To the DPH Rno 3768-41-1-Hyg-48 d 11.6.48

Licence. Mangalore Municipality.
Commonwealth Engineering Works.
Replacement of machinery - orders
issued.

order 3768 DPH 9.11.48
Ms

With reference to b dated
p2 cy 28.2.48 the Mangalore Municipal
Council has recommended that the
Commonwealth Engineering Works
p1 cy which is ~~Situated~~ in the notified residential
area of the municipality may be permitted to replace its
existing 20 HP electric motor with an
oil engine of 50/60 Horsepower. The DTP
p3 to p5 cy and the DPH do not agree to the
proposal of the Municipal Council.
~~and~~ They ~~do~~ recommend that
after the exclusion of the mill site
from the notified residential area, the
Company may be permitted to erect
upon their site an installation of
not more than 20 HP electric motor in
addition to the existing 20 HP electric
p 3 nP motor. The Commissioner, Mangalore
Municipality is informed that the
Govt have no objection to permission
under section 250 of the M. D. M Act
being granted to the Company by the
Council for installation of an additional
electric motor of 20 HP besides the

existing motor after the exclusion of the site from the notified residential area.

Ky
28/x/80
2.11.48.

he. secret
Signature

To.
The Commissioner,
Mangalore Mpty
Thro' the Chairman
The DPH
The DTP/
these

Cr. 45 46 112 / 48

From the Commr, Mangalore Mpty Cr. no 2485 47 dated 5.3.48.

the DTP Rec. no 1136.46 dated 21.5.48

the DPH Rno 37041-1-Hyg/48 dated 11.6.48

Licence. Mangalore Municipality Commonwealth Engineering Works.

A factory by name the Commonwealth Engineering Works is said to have been existing in Mangalore from the year 1874 and the site of the factory was not included in the industrial areas fixed for the Mangalore Municipality. As no electric motor exceeding 20 HP could be permitted outside industrial area, in go 2529 PH dated 17.7.39, the govt permitted as a special case the installation of an electric motor of 32 HP in place of a 11 HP oil engine in the factory. In 1940 the govt informed the commr that they had no objection to the factory continuing on the existing site.

As subsequently, the factory site was included in residential areas notified under section 89 of the Madras Public Health Act and the factory is now running with a twenty horsepower electric motor. The Works Manager of the factory has applied to the Mangalore Municipal Council for a licence (apparently permission under section 250 of the Municipal Act) for replacement of the existing twenty horsepower electric motor with an oil engine of 50/60 B.H.P. and the party wants this change

for running new and modern type of machinery (with oil engine) as no electric current is allowed at the present time to run a higher power electric motor in the premises.

3. The Town Planning Officer did not recommend the request of the party for the reasons stated in para 3 of his letter. The Committee however recommended the grant of permission for the installation applied by the party. In its resolution vide dated 28.2.48, the Council recommends the grant of the permission subject to the condition that the factory works from morning till 4 pm only. From the wording of the resolution it appears that the Council has not finally decided the question under section 250 of the M.D. Act. The Commr requests orders of Govt in the matter.

4. As the factory lies in a notified residential area, it appears that the installation of additional Horse power should be prohibited. As per the instructions in the appendix to Go 4054 PH dated 3.9.40, electric motors only not exceeding 20 HP can be permitted outside industrial area. (W)

5. The DTP does not recommend the grant of permission for the installation of a 50 to 60 HP oil-engine in the place of the existing 20 HP electric motor. He suggests that the factory site may be excluded from the notified residential area in the first instance. para 3, p3c

--

p.4 c.7

and that in view of the importance of the factory, the Company may be permitted as a special case to erect upon this site an installation of not more than 20 HP electric motor in addition to the existing installation of a 20 HP electric motor. The DPH agrees with this suggestion of the DTP– It seems that the govt need not object to this proposal and it is therefore for orders whether the Comm may be advised accordingly.

15/4

Ky
6.x.48
J. 16.10.48

There is no question of permitting the proposed installation on the existing site. As long as the Sikh refugees are housed in the Residential area. We may not finish with the exclusion of the Sikhs from the Residential area and to allow an additional electric installation of 20 HP. Considering the difficulties of the factories which have been working for long

This is a matter to be decided by the Cl: with the approval of DPH & DTP. Sec may see whether no objn

22/10

Yes. after exclusion of the area from the notified Res Area.

22/10

Ex
Secretary for Health, Labour & Welfare

Z 0 OCT 48

25/10

ass 27/10 HM(PH)

Ex

The draft order below is for approval.

Ky
23/10/48
J. 2.11.48

Secretary for Health, Labour & Welfare

Director of Public Health